

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re: Steve M. Swattler,
Debtor.

Chapter 13 Proceedings
Case No. 19-29047-beh

OBJECTION TO TRUSTEE'S MOTION TO DISMISS AND NOTICE OF HEARING

Steve M. Swattler, by his attorneys, ESSERLAW LLC, respectfully objects to the motion of the Chapter 13 Trustee for dismissal and states in support of his objection as follows:

1. The debtor lost his job earlier this year after taking some time off to help care for family members experiencing medical issues and this caused chapter 13 plan payments to stop.
2. The debtor found new employment as a chef with Fox Cities Champion Center, however, with the existing public health crisis, he is not expected to start working there until at least May 1, 2020. Until the Fox Cities job starts, he will be working part-time at Meijer in Appleton in a job that will be paid hourly, which is supposed to start March 31, 2020.
3. The debtor can file a modified chapter 13 plan, but currently he expects it will require suspended or reduced payments for 60 to 90 days. Debtor's wife is currently self-isolating in the marital home after possible exposure to COVID-19. Debtor's wife is in her own chapter 13 bankruptcy.

PLEASE TAKE NOTICE that a telephone hearing will be held before the Honorable Beth E. Hanan, United States Bankruptcy Judge, on April 28, 2020 at 10:30 a.m., to consider the Trustee's Motion to Dismiss in this case. To appear by telephone, you must call the Court conference line at 1-888-808-6929, access code 9122579 before the scheduled hearing time. Please note that the Court may already be in session, so please wait quietly on the telephone for your case to be called. The Debtor is welcome, but not required to participate in this hearing.

WHEREFORE, the debtor respectfully objects to the Trustee's Motion to Dismiss and request that the Court deny said motion and grant him such other and further relief as is just and appropriate.

Dated this 30th day of March, 2020.

ESSERLAW LLC
Attorneys for the Debtor

By: /s/ Steven E. Berg
STEVEN E. BERG

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Milwaukee, WI 53225
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CERTIFICATE OF SERVICE

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The undersigned certified that on the 30th day of March, 2020, I placed the OBJECTION TO TRUSTEE'S MOTION TO DISMISS AND NOTICE OF HEARING, copies of which are now on file herein, and that copies of these documents were mailed, properly enclosed in a postage paid envelope, or served electronically if the party accepts electronic service to the following:

Rebecca R. Garcia
Trustee (via ecf)

Steve M. Swattler
W6350 Lilac Road
Menasha, WI 54952

/s/ Steven E. Berg

ESSERLAW LLC
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